

ENFIELD ZONING BOARD OF APPEALS
REGULAR MEETING
DRAFT MINUTES
MONDAY, SEPTEMBER 28, 2020 7:00 PM
Virtual Meeting

Call to Order

Chairman Maurice LaRosa called the meeting to order at 7:09 p.m.

Roll Call

Commissioner Turner took the roll and present were Commissioners Maurice LaRosa, Kelly Davis, Mary Ann Turner and Alternate Commissioners Catherine Plover, Robert Kwasnicki and Richard Stroiney.

Absent were Commissioners Andrew Urbanowicz and Charles Mastroberti.

Chairman LaRosa seated Alternate Commissioners Plover and Stroiney for the absent Commissioners.

Also present were Laurie Whitten, Director of Development Services and Elizabeth Bouley, Recording Secretary.

Old Business

- a. Review of Bylaws

Motion: Commissioner Turner made a motion, seconded by Commissioner Stroiney, to keep the review of bylaws tabled.

The motion passed with a 5-0-0 roll call vote.

Votes: 5-0-0

New Business

- a. **ZBA# 2020-08-26** – Variance application to allow a 28-foot front yard setback where a 35-foot front yard setback is required in order to accommodate a garage and breezeway; Robert Senez, owner/applicant; Map 59/Lot 163; R-33 Zone.

Commissioner Turner read the legal notice. Mr. Senez stated that he is on a corner lot so this is the only way they are able to get the garage in there. He went on to state that the way the house is situated on the lot is non-conforming.

Commissioner Turner asked why the driveway is being moved, to which Mr. Senez replied that it is being moved to Phyllis Street in order to accommodate the garage being offset.

Mike DelConte with L&S Builders introduced himself to the Commission as a representative for the applicant. Mr. DelConte stated that he had spoken to the town engineer about moving the driveway and he was in support of moving it away from the stop sign at the end of the driveway.

Commissioner Kwasnicki asked if the technical front of the property is facing Pomeroy or Phyllis. Mr. DelConte stated that it faces the center of the corner. At Commissioner Kwasnicki's request, Mr. DelConte confirmed that the house itself is on Pomeroy.

Commissioner Stroiney asked if the variance being sought is for the offset to the structure of the garage, to which Mr. DelConte replied that it is.

Commissioner Stroiney asked why the garage cannot be pushed back to meet the offset. Mr. DelConte explained that this would result in him being behind the house. Mr. DelConte stated that a couple of years ago the same variance was given to someone on the opposite end of the street. He stated that every garage in this neighborhood is crooked.

Commissioner Stroiney asked what the offset is on Pomeroy on the front corner of the house. Ms. Whitten stated that it scales at about 20 feet from the property line and another 10 feet to the edge of pavement, so regardless it is still less than 35 feet. She stated that the applicant is seeking a 7-foot front yard variance.

Commissioner Stroiney asked if the variance on the front corner still covers this variance, to which Chairman LaRosa replied that they probably did not get a variance on the front corner. Chairman LaRosa stated that the house probably predates the 35-foot rule, so when the rule was changed the house became legal non-conforming. Chairman LaRosa stated that the applicant currently has two front yards as the house is on a corner lot, and he has to meet 35 feet on both sides. He stated that if the Commission grants the 7-foot variance on the Phyllis side, the whole length of the front property can come as close as 28 feet. Chairman LaRosa stated that the Commission will often offer assistance on corner lots as they are unique in that they have two front yards.

Commissioner Stroiney asked if what would be done on Phyllis would be applied to Pomeroy as well. Chairman LaRosa explained that the corner of the house is where it is but the applicant would never be able to encroach closer than that without a variance.

Commissioner Stroiney asked if there will be any living space above the garage, to which Mr. DelConte replied that it will just be a two-car garage with no living space above.

Chairman LaRosa asked if anyone in the audience would like to speak in favor or against the application; no one came forward.

Motion: Commissioner Turner made a motion, seconded by Commissioner Davis, to close the Public Hearing.

Chairman LaRosa stated that the Public Hearing is closed.

Commissioner Turner stated that it is a corner lot and there is nothing the applicant can do. She stated that she had looked at the neighborhood and a lot of the houses have garages and breezeways, so this is not an addition that will cause any issues.

Chairman LaRosa stated that the owner is stuck having to follow two front yards. He stated that the corner lot being held to a different standard than other properties in the neighborhood makes a unique situation for the applicant.

Motion: Commissioner Turner made a motion, seconded by Commissioner Davis, to approve ZBA# 2020-08-26.

The motion passed with a 5-0-0 roll call vote.

Votes: 5-0-0

Approval of Minutes

- a. June 22, 2020 – Regular Meeting

Motion: Commissioner Kwasnicki made a motion, seconded by Commissioner Stroiney, to approve the minutes from the June 22, 2020 Regular Meeting.

The motion passed with a 5-0-0 roll call vote.

Votes: 5-0-0

- b. July 27, 2020 – Regular Meeting

Motion: Commissioner Davis made a motion, seconded by Commissioner Plopper, to approve the minutes from the July 27, 2020 Regular Meeting.

The motion passed with a 5-0-0 roll call vote.

Votes: 5-0-0

Correspondence / Staff Reports

Ms. Whitten stated that Staff has started the Plan of Conservation & Development (POCD) and Zoning Regulations update with Don Poland of Gomen+York. She stated that they will be putting together a steering committee and advised the Commission to think about who they would like to be on it.

Ms. Whitten stated that they are attempting to have a winter Farmer's Market.

Ms. Whitten stated that Assistant Town Planner Jennifer Pacacha is out for three weeks so they are very short staffed, but they now have a new Zoning Enforcement Technician.

Chairman LaRosa stated that the state is opening up classes again and suggested that Commissioners take the classes if they have not already.

Adjournment

Motion: Commissioner Kwasnicki made a motion to adjourn for the night.

The meeting was adjourned at 7:28 p.m.

Prepared by: Elizabeth Bouley, Recording Secretary

Respectfully Submitted,

Mary Ann Turner, Secretary